

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

STATE OF MISSOURI, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, *et al.*,

Defendants.¹

Case No. 4:24-cv-01316-MTS

DEFENDANTS' UNOPPOSED MOTION FOR A 13-DAY EXTENSION OF TIME

Defendants in the above-captioned matter respectfully request a 13-day extension of time for the parties to file their next joint status report in the above-captioned matter, which is currently due on July 11, 2025. As good cause for this request, which Plaintiffs do not oppose, Defendants offer the following:

1. As explained in the parties' most recent joint status report, ECF No. 86, discussions between the parties about the future of this case are ongoing.
2. Per the Court's Minute Order of May 12, 2025, the parties' next joint status report is due on July 11, 2025. That order also requires the parties to report their "respective positions on whether a live case or controversy remains in this action under Article III."
3. Undersigned counsel's office within the Department of Justice—the Federal Programs Branch of the Civil Division—is currently facing an unusually large caseload of emergency motions, and has experienced a high number of departures in recent months.
4. For that reason, and due to the press of other significant litigation deadlines that arose after the Court's most recent order, and because Defendants' counsel will be out of the country the

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Donald J. Trump is automatically substituted as a defendant in his official capacity as President of the United States, for his predecessor Joseph R. Biden, Jr. Linda E. McMahon is likewise automatically substituted as a defendant in her official capacity as Secretary of Education, for her predecessor Miguel A. Cardona.

week before July 11, Defendants respectfully request a brief period of additional time—13 days, up to and including July 24—for the parties to prepare and file their next joint status report in this matter. Because of the conflicts described above, the additional time is necessary for the parties to fully exhaust their discussions regarding the possibility of a negotiated resolution of this matter, and (if necessary) reduce their position (or positions) to writing in a joint filing.

5. Granting this request would not affect any other deadlines in this case.

6. Before filing this motion, counsel for Defendants conferred with counsel for Plaintiffs, who reported that Plaintiffs do not oppose the relief requested in this motion.

7. For these reasons, Defendants respectfully request that the parties' deadline to file a joint status report be extended by 13 days, to July 24, 2025

Dated: June 20, 2025

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

MICHELLE R. BENNETT
Assistant Branch Director
Federal Programs Branch

/s/ Stephen M. Pezzi
STEPHEN M. PEZZI
D.C. Bar No. 995500
Senior Trial Counsel
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Tel.: (202) 305-8576
Email: stephen.pezzi@usdoj.gov

Counsel for Defendants